

Third Amendment to Professional Services Agreement

This Third Amendment to Professional Services Agreement (the "Second Amendment") is made this ___ day of _____, 2023 (the "Effective Date"), by and among the Town of Erie, Colorado, a Colorado municipality with an address of 645 Holbrook Street, P.O. Box 750, Erie, CO 80516 (the "Town"), and Hoffmann, Parker, Wilson & Carberry, P.C. a Colorado corporation with an address of 511 16th Street, Suite 610, Denver, CO 80202 (the "Town Attorney") (each a "Party" and collectively the "Parties").

Whereas, the Parties entered into a Professional Services Agreement dated June 26, 2018 (the "Agreement");

Whereas, in November 2019, the Parties executed the First Amendment to the Agreement, to add additional services;

Whereas, in December 2021, the Parties executed the Second Amendment to the Agreement, to increase the hourly rate; and

Whereas, the Parties wish to amend the Agreement again as set forth in this Third Amendment, to increase the hourly rate for general legal services.

Now therefore, for and in consideration of the mutual promises and covenants contained herein, the sufficiency of which is mutually acknowledged, the Parties agree as follows:

1. Section 4.a. of the Agreement is hereby amended to change the hourly rate for general legal services from \$215 per hour to \$245 per hour, to add a litigation legal services rate of \$300 per hour, to add a TEOURA legal services rate of \$300 per hour, and to change the hourly rate for paralegal services from \$105 per hour to \$120 per hour, all effective January 1, 2024.
2. The remainder of the Agreement, as amended by the First Amendment and Second Amendment, shall remain unchanged and in full force and effect.

Wherefore, the Parties have executed this Third Amendment as of the Effective Date.

Town of Erie, Colorado

Justin Brooks, Mayor

Attest:

Debbie Stamp, Town Clerk

Town Attorney



Kendra L. Carberry